

THE LEISURE HOUR.

A FAMILY JOURNAL OF INSTRUCTION AND RECREATION.

"BEHOLD IN THESE WHAT LEISURE HOURS DEMAND,—AMUSEMENT AND TRUE KNOWLEDGE HAND IN HAND."—*Cooper.*



JESSICA AND MR. FAIRFAX.

THE AWDRIES AND THEIR FRIENDS.

CHAPTER VII.—VICISSITUDES OF LIFE.

With all the haste that he could make, Martin was only just in time to prevent his father from carrying his guest captive to the gloomy haunt in which his heart delighted; and it was very plain that Mr. Fairfax was not sorry for his escape; for, though a lover of books, he was an enemy to dust and darkness, and preferred for a short time to do without the former, if they must bring the latter in their train.

Martin was agreeably relieved by the personal appear-

ance of Mr. Fairfax. He thought he had never seen two less alike than the father and the son; and yet, as far as mere flesh and blood went, the close relationship was clearly traceable: but no furtive glance came from the full penetrating eye of the father; there was nothing in the smile which occasionally lighted up his countenance like sunshine on the landscape that made you fear it was worn to deceive.

There was a nameless attraction about the old man which won Martin as it had done his mother, and he trusted him at once.

"I have been telling your parents, Mr. Hedwig, a

strange tale connected with the young lady Miss Awdrie: by a most unlooked-for circumstance she has lost the whole of her property. She was the daughter of Mr. Awdrie's second wife, and, as the child of his first marriage had been kept from him and provided for by her mother's relatives, he made a will in her favour; but, through some informality, it has been proved invalid, or made to appear so; and, although there cannot be the slightest doubt of his intentions respecting her, she is by the verdict left penniless."

In answer to the various questions that Martin put, it appeared that the will had remained for some time uncontested, and that, for long after the dispute commenced, the possibility of such a termination had been thought incredible; that Miss Awdrie was not acquainted with the insecurity of her position: so little had it been expected that he had not deemed it necessary to prepare her for the chance of it.

"You are a friend of my son," continued Mr. Fairfax; "perhaps he made you acquainted with the fact of his attachment to Jessica, and hers to him. It was a connection that I always disapproved of for her—partly because I feared the world might say I had taken the wardship of her to secure her riches to my family; but chiefly because I feared that Edward's character was not one calculated to make her happy: young people are not to be trusted for themselves on such matters *always*, especially young ladies. My poor sister, I fear, from her own blind fondness for my son, had a notion that she was doing Miss Awdrie good service in fostering her partiality for him—a partiality with no more real foundation, I think, in the onset at least, than was furnished by his personal attractions and gaiety of manner, accompanied, of course, with such devoted protestations as it is customary to make on such occasions."

"But she had—Miss Awdrie, I mean—had sufficient opportunity to know him," said Martin, respectfully, "since, during the last three years, excepting his periodical stay for a time at Lydwood, she lived in the same house with him?"

"She had; but sometimes opportunities are lost for want of improvement. She took his aunt's way of viewing him, saw much that was not in him, and was blind to much that was. As they had known one another from childhood, it did not occur to me that there was any danger of the attachment when I received her, orphan as she was, and without any near relative, on the death of her father, to whom I had pledged myself to be in his place to her, so far as I could."

"Perhaps," said the Professor, who, though very sorry for Miss Awdrie, had become fidgety during this home-spun dissertation on young ladies' affections, and was afraid he should lose half his golden opportunity of consulting so good an authority as Mr. Fairfax on several dubious points, and, further still, that he should be prevented from reading to him the very able, lucid, and compendious treatise with the winding-up of which he had favoured good Mrs. Hedwig on the first night of our introduction to him and to her—"perhaps, as I have heard this—the matter of it—you will allow me to leave you to tell Martin, while I go and look up a thing or two I should like you to see; and perhaps, when you have done, you will join me in the study."

Martin looked at his father, who had been busy raking his gray hairs for the last few minutes, his wig consequently having begun its rotatory motion; he was sure that his endurance had come to a climax, and was glad when Mr. Fairfax gave him unqualified leave to depart.

"Your father lives in past ages: we have now to do with the present," he said, as the Professor vanished

nimble, and we shall be freer to talk matters over without him, seeing the restraint he is in."

"You were saying that you disapproved of the attachment," said Martin, smiling acquiescence in the opinion at the same time.

"Ah—yes; but I was going to say that, though the most serious objection—Edward's *unfitness to be her husband*—remains, I withdraw my opposition if they are still determined on it; that I have been a party to it on account of her fortune cannot be said now."

Martin's face flushed with pleasure as he looked at his companion. "Something contrary to the maxims of the world," he said, almost reverentially.

"The world!" exclaimed Mr. Fairfax; "the world has not been my reference-book for morals, young man, for many years past."

"May I ask," said Martin, "if you have noticed any change in Edward's conduct lately—more deference to your wishes, and more accordance with your feelings?"

"He has *talked* dutifully of late," said Mr. Fairfax; "but, Mr. Hedwig, he is my son, *my son*. I would not trust myself to utter to *myself*, much less to another, any doubts I have concerning him." He sighed deeply as he spoke.

Martin said, in a deferential tone, "I know a little of him, Mr. Fairfax: might I suggest the probability at least of his being sincere?"

"I could *hope much once*, and did; but often-repeated blows harden, and even a father's hope may grow callous."

Martin scarcely knew what to say; the evident though suppressed distress of his companion affected him greatly. How could such a father be so required! But the interview he had just had with Jessica came painfully into his mind in connection with what he had heard of her loss of property, and he ventured to ask if Edward was aware of her *present circumstances*.

"Doubtless," replied Mr. Fairfax; "he has known the critical posture of her affairs for this month past, and learned the decision against her, as I did, three days since."

Martin was silent.

"I blame myself for not having prepared her for it," said Mr. Fairfax; "but regrets and self-censures, how vain! Edward has his aunt's property, independent of what I shall leave him; therefore they will want nothing."

"Have you told him that you withdraw your objections now?" asked Martin.

"No; I thought I would see first if she were as strongly inclined to the union as when my sister's influence fanned the flame. If she has cooled in her ardour, I should be glad for her sake; she is ingenuous, trustful, and affectionate—a child—and in simplicity will ever be a child. Where selfishness reigns, Mr. Hedwig, together with a keen wit, there is not this moral childhood. Edward by nature never was *thus* a child; it is by grace only he can become one."

Martin revolved in his mind whether he should unfold the mean, sordid desertion of the fortuneless Jessica by her unworthy lover—so called; but he looked at the face before him, and felt it was a thing the father must learn without a witness, and he was silent.

"There is a question yet as to whether the case will be taken into a higher court, to try to get the judgment reversed," said Mr. Fairfax; "the legal parties are willing to risk the chances of a favourable award, provided a sum is placed at their disposal to cover all expenses beyond their services. As it is, the costs are heavy, and it is a problem how further burthens are to be met. By your head, Mr. Hedwig, you ought to

have been a barrister" (and he looked at Martin's finely-formed head); "and I wish you had: you might have helped us."

"It is what I aspire to be, what I am labouring to become," said Martin, blushing with ingenuous pleasure at such a testimony from such a man.

"God prosper you in all your ways, be they what they will," replied Mr. Fairfax; "with His blessing it matters not much what path we take."

A gentle tap at the door, and Mrs. Hedwig entered.

"I thought, love, Mr. Fairfax would be glad of some tea, and I have made it; won't you come into the other room?"

"Is Miss Awdrie to be made acquainted with Mr. Fairfax's being here?" asked Martin.

"I thought, as she must know it sooner or later, poor child, it was better to tell her; so I *did* tell her before I made the tea."

"How did she bear it?" asked Mr. Fairfax and Martin at once.

"I told her he had come on business, and that he had left all his family very well: so she was not likely to be anxious about anything; and she seemed *rather of a tremble*, but very glad to think she should see him," said Mrs. Hedwig.

"I had better break the facts to her after tea?" said Mr. Fairfax, inquiringly.

"As you think best," replied Mrs. Hedwig; "but wouldn't the morning be soon enough? She may as well have a good night's rest first; and I will break it to her if you like, after breakfast."

"My mother will do it so gently," said Martin; "it will lose some of its harshness, and it will spare your feelings."

Mr. Fairfax consented. As they were leaving the room Mrs. Hedwig said, "Martin, you had best go and fetch your father, and say tea is ready in the best parlour; and couldn't you, love, bring all the books he wants to show Mr. Fairfax into this room, while we are at tea? Then they would be ready for him afterwards, and the study could be shut for the night."

Martin achieved what would have been beyond her: he bore the Professor to one parlour and the books and papers required to the other, and took the coals off the study fire; which, when announced in a whisper to her, brought her placid comfortable smile in all its radiance on her countenance. She whispered in reply, "Your father wears that shabby old coat there, love, and he forgets that you have on your best one this evening, and that Mr. Fairfax has on either a new one or one as good as new; and he never thinks of the work that the dust makes with good clothes."

The evening passed very tolerably. Nothing was hinted that night to alarm Jessica; but the consciousness of what awaited her hung heavily on the kind hearts around her, if we except that of the Professor, who—not having considered the facts in their practical bearing on himself and his family, as depriving them so suddenly of the income that had so unexpectedly been bestowed—had expended all the sympathy he could spare from Orestes and other classical sufferers on the first hearing of it, and was now quite resigned to all he remembered of it.

There were many questions to be settled: Miss Awdrie's future home was one. Mrs. Hedwig resolved, if the Professor would allow her, to keep her for a time without a premium of any kind. Martin must indeed leave home again, and she cast a wistful eye on the new carpets and curtains that might have been spared. But what were such trifles compared with what poor Jessica had to hear and bear? "She has not been well trained, I am sure,"

she said to herself; "she is wonderfully untidy, and knows nothing of housekeeping, so I will try and bring her hand in. Whether she gets her fortune back or not, it will be a good thing for her to know such things as my dear mother used to say no woman was perfect without knowing, not if she was a lady in her own right."

Martin's reflections were of a very painful nature. He doubted if he ought not to do Jessica the brotherly service of showing her, for her self-respect's sake, the necessity of refusing Edward when Mr. Fairfax announced his willingness to consent to the match. She could not doubt now that the true reason of his assumed attitude of dutiful obedience in declining her arose from the loss of her fortune. He determined to consult his mother in the morning.

Mrs. Hedwig heard him with consternation. She was busy preparing the breakfast, when he took her into the little parlour to discuss the subject.

"Really, Martin, love, I think she is well off if the loss of her fortune has saved her from the base young man. Just let me tell Eliza to watch the coffee: it must boil up four times at least. Now, love," she said, returning, "what is to be done if you were to tell her the whole? how would that be?"

On consideration that seemed the best plan; and, after an hour spent with Jessica, in which he appeared to feel more than she did—for there was more to understand of sorrow to her in the centre of it than one outside conveying it found, and she was powerless to receive it in its full meaning—he left her, commissioned to say to Edward that she accepted his desertion of her, now understood.

When Mr. Fairfax saw her he was struck with her calmness.

"You shall want no friend, Jessica," he said, kindly; "my heart is more open to you than ever, and, if you are still constant to Edward, I place no bar to your union."

The tears fell thick on Jessica's folded hands as she said, "I am hardly able to understand my circumstances yet; but, as to that, my mind is utterly changed—utterly. I will never marry."

"A premature declaration at your age, my dear," said Mr. Fairfax. "As to Edward, I would not urge him on you; for my opinion as to his deficiency, in the essential requisites for a good husband to *you*, is unchanged; but I leave you to choose for yourself. If you love him, and will risk your happiness with him, be it so. His property is enough for you both."

"I will never marry," said Jessica.

"Well, you know my mind with respect to Edward. I should be glad indeed, though you are full young, to see you settled with a companion with whom you might reasonably hope for happiness, and I will not thwart you if he still appears to you to be such an one."

Jessica sat folding and unfolding a paper, as if she did not hear.

"Shall I leave you to consider it, or do you mean me to tell Edward you reject him?"

"Give this back to him," she said, drawing a ring from her finger. "I will never marry."

"Jessica! Jessica!" said Mr. Fairfax, impatiently. "This is sentiment: it is nonsense. My poor sister did you an incalculable injury by nurturing all that sensitive softness. Speak out reasonably. Is it because of the change in your circumstances that you refuse him? If so, I repeat that *that* is an argument with me for the marriage. He has enough."

Finding that he could get no other answer than "I will never marry," Mr. Fairfax at last touched the bell,

which was to be the summons for Mrs. Hedwig. She entered immediately, and looked pitifully at Jessica as she sat with her head, bent nearly motionless, still folding and unfolding the paper. Seeing that the said paper was no other than her pattern for her lace-work, she gently delivered it from her hands, and proposed that she should lie down on her bed a short time, till she had recovered her spirits a little.

"What sort of a person is her half-sister?" she asked, when she returned from having laid the weeping Jessica on her bed, having spoken such words of comfort as she thought might be acceptable and not wearisome to her.

"I have not seen her for years," replied Mr. Fairfax. When her mother died her friends took possession of her, her father being distracted with grief and incapable of attending to her. Afterwards, when, with strange inconsistency, he hastily married again, they refused to allow her to return, and he used no authority to compel it, being influenced by his second wife. She had her mother's abundant portion settled on her; therefore the will was not altogether unfair, though a division would have been more equitable."

"If she is at all amiably disposed and right-minded, surely she will see it to be her duty to come to some understanding with poor Jessica, considering she is her own father's daughter; it's more than I can understand, for families to expose themselves by going to law with one another about money."

"Don't you know that money is the all-powerful lever to raise divisions?"

"Yes, I do," said Mrs. Hedwig; "and that reminds me——"

"Not," said Mr. Fairfax, interrupting her, "that I think your suggestion one to be disregarded. Margaret Awdrie is some six years older than Jessica; what little information I have been able to gather concerning her is by no means unfavourable: they are of perfectly different characters; she wants Jessica's tenderness, I fancy, but is far her superior in strength. It might be that, if the case were wisely put to her, she would consent to some compromise that would spare the family's name and honour."

"It's a great pity that it *shouldn't* be so put to her, then; but I was going to say, Mr. Fairfax——"

"Forgive my interrupting you," he said; "but a thought has just struck me: I must turn it over in my mind. I should be glad indeed to secure a competence to the poor girl, that would render her independent, especially since she now capriciously refuses a provision which would render it unnecessary."

"Now, that was what I wanted to say," said Mrs. Hedwig. "My son Martin is very noble, and I know his feeling is to bear anything rather than lay blame to a person; and Jessica, poor girl, through all that has happened, is still so fond of——"

"Edward?" asked Mr. Fairfax.

"Yes, I think that's your son's name—that she would rather you thought her capricious than tell the truth, because it makes against him; but I think, Mr. Fairfax, it's very well for young people to talk so. I think, I say, the proper thing is to tell the truth, and let things seem what they are; what do you think?"

"I perfectly agree with you," said Mr. Fairfax, looking rather surprised.

"I was sure you would; so I must tell you that it's no caprice in Jessica that she refuses your son; it seems that his letters have changed very much in the last month, and she heard from him yesterday to break off the engagement."

Mr. Fairfax looked unutterable things.

"He put it upon the duty of obedience to you; but I thought it looked very bad, I must say, and you can't wonder at the poor girl thinking so too."

"Incredible!" said Mr. Fairfax.

"Don't vex," said Mrs. Hedwig, kindly; "I was very sorry to tell you, but I never see any good in keeping back the truth from those that ought to know it; and you know what you said, 'The love of money is the root of all evil,' only you put it in a different way."

"I couldn't have suspected him of such baseness," said Mr. Fairfax. "A son of mine to be capable of such sordid, base——"

"Don't you know the old saying?" asked Mrs. Hedwig: "Corruption runs in the blood, but not grace."

"Your son!" said Mr. Fairfax, mournfully.

"Our son is wonderfully beyond what we deserve or ought to have looked for," she replied, with a full heart; "but you see, sir, all blessings don't fall to one lot. You are rich, and have had no cares of life; we are poor, and until now my husband has worked to maintain us, as Martin must do to maintain himself; so our good God gave us this sweet blessing to cheer us. But you said that you had a plan that you must think about; perhaps you would rather be left alone now," she said, the ebullition of parental tenderness passing, yet leaving a delicate flush on her cheek; "or shall I send Martin to you? I know my husband is waiting till all business is over that he may enjoy you for a little time in his own way."

"Martin: yes, I should be glad to see him," said Mr. Fairfax.

"I'll send him," said his mother, not sorry, as she could be of no further use, to be let off to Eliza, who was getting seriously anxious about her mistress's absence, as several weighty questions concerning dinner remained yet unsettled.

HINTS ON LEGAL TOPICS.

IV.—WILLS AND WILL-MAKING.

It is a leading principle of English law that it is in vain to attempt to give a man an estate which shall adhere to him in spite of his own endeavours to get rid of it. Such a limitation upon a man's free action is not permitted. Yet these attempts are frequently made, and expressions are often to be found in wills to this effect: "I give my estate to my son William, provided he does not sell or dispose of the same." In all such cases William, of course, takes the property and does what he likes with it. No doubt it is perfectly competent to a testator to give William an estate for life, and after his death to somebody else; but that life estate will be at William's free disposal: he can sell it or mortgage it, and it will be subject to the claims of his creditors. The same rule applies to a single woman or widow; but in the case of a married woman there is an exception. In this one instance the law permits an estate to be given to her in such a way that she cannot dispose of it during her coverture; that is to say, while her husband is living and she is under his influence.

With respect to conditions in restraint of marriage, there is a great deal of nicety in the legal distinctions. According to the Roman, or civil law, all conditions in wills whatsoever, restraining marriage, were void, with one exception—the case of widows; and, inasmuch as the ecclesiastical lawyers of the middle ages were very fond of civil law rules, this, amongst others, has to some extent affected the law of England. But, according to our common law, there are several instances (besides that of widows) in which partial restraints upon marriage are

permitted. As, for example, that the recipient must obtain the consent of a particular person to his or her marriage; or that the recipient shall or shall not marry a particular person; or that prescribed ceremonies and place of marriage shall be observed; or that marriage shall not take place under twenty-one, or eighteen, or other reasonable age. But there is also this remarkable regulation, for which various reasons, none wholly satisfactory, have been suggested. If you give a legacy of £500 to your daughter, "provided she marry with the consent of A" and do not go on to say what is to become of the money if she marries without A's consent, then the condition is treated as a mere caution or warning; and, although she marries in A's lifetime, without A's consent, she may still retain the legacy. But if, after giving the legacy as above, you proceed to say that, if she marries without A's consent, then the money is to go over to M, your condition is binding: it is considered that you really mean to be obeyed; and, if the young lady marries without A's permission (A being living), she forfeits her £500 to M. In other words, conditions in partial restraint of marriage, although legal, will be treated as mere threats, unless supported by a gift over.

We have already noticed that the legal authority of a will depends upon two leading principles. The first is that universal rule according to which the law undertakes to dispose of a man's property after his death; and the second is that power of disposing of property after one's death which has, as it were, been wrung from the legislative power of the kingdom, from time to time, at various periods of our history. The first principle is that the law, in its natural course, of itself disposes of everything. Then come the various statutes of wills, or Acts of Parliament, which enable the subject to interfere with the devolution of property by due course of law, and turn it into some other channel. This was, in the feudal point of view, a concession made by the governing powers, acting in the interests of society at large, to the governed persons of whom society is composed; the obligation being that the subject, the private person, to whom this right is conceded, must strictly observe certain formalities, which formalities, again, are imposed solely for the benefit of society, and in order to avoid fraud and uncertainty.

There is, however, a case in which the law permits a deviation from its own principles with regard to the devolution of property, although a man has not made a formal bequest of that property by will. The instance to which we refer is that of death-bed gifts, or, as the legal phrase denominates them, *donationes mortis causâ*; where a man, in contemplation of his death, makes a gift by actual delivery of property to a bystander. The property must necessarily be something movable, something which will pass by delivery, without deed, as a watch, a book, or a jewel. Money, notes, shares, and even a bond debt, may be legally transferred under these circumstances; but the giver may revoke his gift, and, if he should survive his illness, it becomes void altogether.

The most interesting cases which come into our courts with respect to wills are those where the validity of the will is disputed on the ground of the testator being of unsound mind, or on the ground of the alleged instrument not being in truth his will, but a false declaration of his wishes, obtained by fraud or undue influence. These questions are usually raised by the heir, to whom, in ordinary course, the land would have come; or by the next of kin, who would have taken the property had there been no will.

There are a variety of circumstances which will inca-

pacitate a person from making an effectual will; and it may be interesting to enumerate them. In the first place, no will made by a person under the age of twenty-one years is valid. Formerly boys and girls of sixteen, fourteen, and even younger, might make their wills; and such dispositions were upheld, if it were not shown that any undue influence or fraud had been employed. But this state of things has, since the year 1838, been entirely done away with. So the will of an idiot, or person who has been imbecile from his birth, without a lucid interval, is wholly void. A will may, nevertheless, be successfully made during an interval of lucidity, by a person who was unmistakably imbecile both before and after the occasion. May a deaf and dumb person make a will? Unquestionably; many such have been made of late years. In 1837 a gentleman named George Edward Towry, who was deaf and dumb, died, having by his will given a largenumber of legacies—charitable and others. Amongst the rest, he made a bequest in these words: "Item, £200 to aid of deaf and dumb, to found a chapel for them in London, as a bequest." His will was perfectly good; but his benevolent intentions in favour of persons similarly situated to himself failed, this particular gift being void under the Statute of Mortmain, already described. It may seem a somewhat rigorous provision that even blind men who wish to make wills must execute the will by signing in the presence of witnesses, like other people. But so it is. Formerly there might be such a thing as a "nuncupative" will, where the testator, without writing, declared his will by word of mouth, before witnesses. This mode of will-making is no longer lawful. The blind man, therefore, must sign; and it is further desirable, in his case, that the will be read over to him in the presence of the witnesses, and that they should hear him acknowledge the will so read to be his true will and testament.

As has been already said, some of the most interesting and difficult cases that occur arise when the disappointed heir or next of kin disputes the will on the ground of insanity. The facts in these cases are often very difficult to establish, and, when established, they frequently leave the question of what was the actual state of the testator's mind a matter of the greatest doubt. In one instance, an only daughter who had been disinherited attempted to set aside her father's will, on the ground that, besides labouring under mental perversion in other particulars, especially religious subjects, the deceased had an *insane aversion* to her in particular. After much opposition and discussion, this allegation was allowed to be admissible; and thereupon, the evidence showing that the will was the direct, unqualified offspring of a morbid delusion, it was set aside.

The following remarkable instance of such a delusion is related in the words of Lord Mansfield, and quoted by the celebrated advocate Erskine:—

"A man of the name of Wood had indicted Dr. Munro for keeping him as a prisoner when he was sane. He underwent a severe cross-examination from the defendant's counsel, without exposing his infirmity; but Dr. Battye having come upon the bench by me, and having desired me to ask him, 'What was become of the princess with whom he had corresponded in cherry-juice?' he showed in a moment what he was. He answered that 'there was nothing at all in that, because, having been (as everybody knew) imprisoned in a high tower, and being debarred the use of ink, he had no other means of correspondence but by writing his letters in cherry-juice, and throwing them into the river which surrounded the tower, where the princess received them in a boat.' There existed, of course, no tower,

no imprisonment, no writing in cherry-juice, no river, no boat, no princess; but the whole was the inveterate phantom of a morbid imagination. I immediately directed Dr. Munro to be acquitted. But this madman again indicted Dr. Munro in the city of London, through a part of which he had been carried to his place of confinement. Knowing that he had lost his cause by speaking of the princess at Westminster (such is the wonderful subtlety of madmen), when he was cross-examined on the trial in London, as he had successfully been before, in order to expose his madness, all the ingenuity of the bar, and all the authority of the court, could not make him say a single syllable upon that topic which had put an end to the indictment before, although he still had the same indelible impression upon his mind, as he signified to those who were near him; but, conscious that the delusion had caused his former defeat, he obstinately persisted in holding it back. His evidence at Westminster was then proved against him by the shorthand writer, and I again directed an acquittal."

This was a very clear as well as a very striking case; but there is no reason for supposing that, if the man Wood had made a will, sound and rational in all its expressions and objects, it would have been set aside, on proof that he had in his lifetime laboured under this single delusion. Erskine, indeed, in defending James Hadfield, who shot at King George III in Drury Lane Theatre in the year 1800, laid it down that it was necessary, in order to get the prisoner acquitted, that he should prove to the jury not only that the prisoner had delusions, but that the act in question was "the immediate unqualified offspring of the disease." This doctrine, however, was questioned by Lord Denman, when quoted by Sir J. Campbell on the trial of Edward Oxford for shooting at the Queen. Lord Denman seemed to think it would be enough to acquit the prisoner, if it were shown that he had delusions about any subject whatever, unconnected with the felonious or traitorous action. The reason for a distinction in the two cases is obvious. If Lord Denman's merciful view of the subject be sound law, it leans towards the acquittal of the prisoner; whilst the doctrine that partial insanity is not to upset a will, unless the expressions and gifts are the clear, unmistakable offspring of delusion, operates in favour of the validity of the will.

The remarks of a great authority on these questions, Dr. Francis Willis, are peculiarly applicable. He says, "A sound mind is one wholly free from delusion. Weak minds, again, only differ from strong ones in the extent and power of their faculties; but, unless they betray symptoms of delusion, their soundness cannot be questioned. An unsound mind, on the contrary, is marked by delusions, by an apparent insensibility to or perversion of those feelings which are peculiarly characteristic of our nature. Some lunatics, for instance, are callous to a just sense of affection, decency, or honour: they hate those without a cause who were formerly most dear to them; others take delight in cruelty; many are more or less offended at not receiving that attention to which their delusions persuade them they are entitled. Retention of memory, display of talents, enjoyment in amusing games, and an appearance of rationality on various subjects, are not inconsistent with unsoundness of mind; hence sometimes arises the difficulty of distinguishing between sanity and insanity."

Besides idiots and lunatics, there are others who are incapable of making a will. Such are persons who once were of good and sound memory, but who have lost it; persons who, from sickness, grief, or accident, have been deprived of their understanding, or who, from old age, have

outlived it. Persons also who are overcome by drink cannot make a will; that is to say, supposing that they are so excessively drunk as to be entirely deprived of the use of reason and understanding.

Finally, a will obtained by force cannot stand, nor can a will obtained under the influence of fear. There is an old case which is thus described: Mrs. Bettinson, travelling into France (about 1688) for her health, fell into company with a woman named Nelson, who, having the young lady under her power, prevailed so far upon her as to make Mrs. Bettinson solemnly swear to make her will, and thereof to make her, Mrs. Nelson, executrix, and to give her all her estate; and, when Mrs. Bettinson had made her will accordingly, Mrs. Nelson made her again swear that she would not revoke or alter that, or make any other will. It seems that Mrs. Bettinson afterwards complained very much of how she had been circumvented by Mrs. Nelson, and of the injury she had done her relations; "that she heartily repented that she was thus fettered, but durst not, for fear of damnation, revoke or alter her will; and shortly afterwards died, much troubled and afflicted." Accordingly, when Mrs. Nelson came to claim the fruits of her misdeed, the Lord Chancellor (no other, by the way, than the notorious Jeffreys, who, notwithstanding his frightful cruelties, was an excellent Chancellor) made the following decision. He said that "the case where a man, to save his life, is made by a thief to swear he will give the thief a sum of money, though by the casuists such oath is held to be binding, yet it shall never be carried out in a court of equity. He did not see how this could be allowed and esteemed a will, as not having been made freely and voluntarily, but gained by restraint and force. The plaintiff might make the best she could of her probate (the will had been proved), but she should have no aid from that court;" and so dismissed the bill.

In like manner a will made by a testator who is deceived, or, in other words, who is circumvented by fraud, is of no effect. The fraud must, of course, be proved to the satisfaction of the court. So also, where a sick man was induced by the over-importunity of his wife to make a will in her favour, in order to keep her quiet, the will was declared to be not a good will. This state of things appears never to have arisen in modern times. But the will of a married woman, obtained from her whilst she was in an extremely weak state, nine days before her death, by the active agency of the husband, and entirely superseding a former will deliberately made some months previously, was set aside by Sir John Nicholl.

This brings us naturally to the last and most important class of grounds on which wills are set aside; those, namely, which are included under the term "undue influence," an authority which may be exerted by one person over another in a great many different relations of life. The last mentioned is an instance of undue influence exerted by a husband over a wife; and a similar perversion has occurred of the authority which a master has over his pupil, a guardian over his ward, a servant over her aged master, the keeper of a lunatic asylum over a patient, an attorney over his client, and a religious teacher over a person to whom he ministers in things spiritual. It is the result of experience, however, that the cases which turn upon "undue influence" are found to be much more abundant in the case of deeds and gifts than of wills; and for several obvious reasons. Young people seldom make wills in favour of older ones; and those under age cannot, as the law now stands, make wills at all. Wives seldom make wills, being able to do so only where they have express power reserved to them for the purpose; and

the instances of wills by lunatics are necessarily rare. It is common, no doubt, to find people bestowing their bounty upon favourite servants, upon their medical attendants, and their legal advisers. In France all gifts to professional attendants are void; but there is no such law in England: there is nothing to prevent a lady giving all her property to her doctor or her lawyer, or a gentleman from bestowing all he has upon his house-keeper, except only this doctrine of "undue influence," which it is far more difficult to establish after the donor's death than in the case of a gift during his or her life. The same remark applies also to religious influence. But to malpractices of this class a great blow was struck by the enactment of the Statute of Mortmain; and, as far as personal property is concerned, the education and habits of the clergy, and the powerful control of society, render complaints almost unheard of. It is amongst innovators and irregular teachers, like Mr. Prince of the Agapemone, that such instances, whenever they occur, make their appearance. The necessities of their position often drive disreputable religious guides to practise upon the spiritual feelings of weak-minded persons to an extent that is often questionable, sometimes illegal. But the indignation excited by dishonesty in such cases is generally so quickly roused, so widely and deeply felt, that the experiment is rarely attempted, even by those few whom a sense of honour and duty might not otherwise restrain. All the leading cases on this interesting subject, therefore, apply rather to gifts between living persons than to gifts by will, and may be more appropriately considered elsewhere in this series of papers.

MORSE'S TELEGRAPHY.

We present our readers with the portrait of one to whom the new system of telegraphy, by which we mean the electro-magnetic system, is deeply indebted. The Americans, indeed, claim for Professor Morse the honour of being the positive inventor of the electric telegraph, as the English claim it for Wheatstone, and the Germans for Steinheil. However this may be, it is a fact that, out of 250,000 miles of telegraphic communication established and working, or in course of construction, throughout the world, no less than 200,000 miles are worked, or to be worked, on the system invented by Mr. Morse. At a Convention held in 1851 by Austria, Prussia, and other central Continental nations, Morse's system of telegraphy was adopted, on the strong recommendation of the rival inventor Steinheil of Bavaria. His name will consequently be ever associated in history with the triumphs and wonders of telegraphy.

Samuel Findley Breese Morse is a native of Charlestown, Massachusetts, where he was born April 29th, 1791. He came of a notable sire, his father, the Rev. Jedediah Morse, D.D., having acquired a literary celebrity as the author of "Morse's Geography." The subject of our notice, though his name has been made chiefly famous through his practical application of electro-magnetism to telegraphic purposes, was long favourably known in England, no less than in America, as a painter. In the year 1813 he exhibited his picture of "The Dying Hercules," before the British Royal Academy, which at those times had apartments in Somerset House; and the same year he won a prize for a statuary model exhibited before the Society of Arts. On returning to America he first settled at Boston; but there was little encouragement for art in those days in America. After some years of unprofitable labour in various parts of the

country, he met with success at Charleston, South Carolina, and subsequently in New York, as a portrait-painter. His reputation led to his being intrusted with the picture of Lafayette, when on his last visit to the land for whose independence he had fought in early life. Two or three years afterwards, in 1829, Mr. Morse visited Europe; and it was on his return voyage to America that a conversation with Professor Jackson led to the practical results to be described in this article.

Whilst still a very young man Mr. Morse appears to have entered with much ardour upon the then new science of electro-magnetism, by which we mean the science of the connection between electricity and magnetic force. Some vague notion that this electro-magnetism might eventually be made available for purposes of telegraphy seems to have taken possession of Mr. Morse even so early as 1820; but it was not until 1832 that he seriously applied himself to solve the problem, and not until 1837 that the telegraph which now bears his name was made known to the American public. Speaking of himself, Mr. Morse has thus deposed in a case that came before the supreme court of the United States: "Shortly after the commencement of my return voyage from Europe, in the autumn of 1832, the then recent experiments and discoveries in relation to electricity, magnetism, and the affinity of electricity to magnetism, or their probable identity, became the subject of conversation. The special subject of conversation was the obtaining the electric spark from the magnet. In the course of the discussion it occurred to me that, by means of electricity, signs representing figures, letters, or words, might be legibly written down at any distance." Such was Professor Morse's own exposition of his own views in regard to telegraphy—such the expression of a belief which he has lived to see fully verified.

From these few preliminaries touching the biography of Mr. Morse we turn now to consider the subject of electric and electro-magnetic telegraphy, not aspiring to give the details of electro-magnetic apparatus, but to make known the principles upon which the action of electro-magnetic apparatus depends. Since the time (in retrospect it seems but as yesterday) when the first experimental British line was in operation upon a short length of the Great Western Railway, vast have been the developments of this wondrous means of conveying intelligence to a distance, of flashing the thoughts of men with a velocity that makes time itself laggard by comparison; and, although every electric, every electro-magnetic telegraph depends for its primary condition of efficiency on the, so to speak, instantaneous transmission of electricity along conducting wires, yet, beyond this prime or fundamental quality, many of the electric and electro-magnetic telegraphs have nothing in common.

Our purpose now being merely to indicate the progress of electric and electro-magnetic telegraphy in America, we shall treat no more fully of the general principles of the art or science than shall suffice for making intelligible the department we have chosen for the subject of our present paper. Firstly, then, electricity, whatever it may be, whether a fluid or a motion amongst the particles of matter, takes time to travel; but, so inconsiderable is the duration of that time, that, speaking in a certain sense, electricity may be said to travel faster than time itself, and in the manner following: Time, or rather the measure of time, is determined by the apparent passage of the sun in the heavens; but, inasmuch as electricity travels along conducting bodies faster than the apparent passage of the sun along the heavens, therefore may electricity be said to travel faster than time itself.

In reference to this enormously rapid transit of electricity the reader will probably have seen actual definite figures given; he will probably have seen the experiments of Professor Wheatstone adduced as an authority. Now the fact is that the velocity of the passage of electricity varies according to the nature of the conducting material traversed; wherefore we cannot strictly affirm, in regard to electricity, as we do in regard to light, one invariable rate of travelling. Enough, however, for present purposes, to state that electricity, as brought into use in the practice of electro-telegraphy, or electro-magnetic telegraphy, travels with a velocity often *more* considerable than that of light. On copper wire its velocity, according to Professor Wheatstone's experiments, is 288,000 miles per second; according to MM. Figeau and Gonelle, 112,680 miles. On the iron wire used for telegraphic purposes its velocity is 62,000 miles per second, according to Figeau and Gonelle; 28,500, according to Professor Mitchell, of Cincinnati; and only 16,000, on the authority of Professor Walker, of the United States Coast Survey. Now, whatever the system of electric or electro-magnetic telegraphy, the starting-point for consideration has reference to the passage of electric force, fluid, or energy along a wire. Before the telegraphic engineer determines in what way this force, or fluid, or energy is to be used, he will mentally answer the question what exactly he requires it to do. Unquestionably the simplest and most obvious means of utilizing the electric force for telegraphic purposes is that adopted by Messrs. Cooke and Wheatstone, founded on a celebrated discovery of Professor Oersted. What these gentlemen did was to utilize the fact that an electric current, passing in the vicinity of a freely-suspended magnetic needle, deflects that needle, according to well-established definite laws; that is to say—if an electric current, be made to pass in the vicinity of a freely-suspended magnetic needle, the latter is deflected according to certain laws fixed and determinate; so that an operator, manipulating a service of electricity at London (as we may assume), has it in his power to deflect a magnetic needle situated at Manchester (as we may assume again) right or left at pleasure, and instantaneously, whereby the means are obviously furnished of establishing an alphabet by the means of conventional signs. The needle telegraph was the first variety established amongst us, and it is the one to which we Britons attach ourselves with most constancy. As for our cousins over the Atlantic, however, they have not manifested any great partiality for this needle system. They have preferred, and, as it seems to us, rationally preferred, various systems of recording or printing telegraphs, amongst which, unquestionably, the most generally used is that of Professor Morse.

How can printing be accomplished by electricity, or magnetism, the product of electricity? That is the question we must now set ourselves to answer, with as much brevity as may be consistent with clearness; and let it also be clearly understood that the printing operation is susceptible of two cases:—first, in which the printing is accomplished in actual known characters—those of the Roman alphabet, for example; second, in which the printing is accomplished in letters of some special alphabet devised for the occasion: to which last category belongs the system of Professor Morse. Then each of these cases involves several contingencies. Shall we *burn* the letters of our alphabet by a red-hot wire, the redness caused by electricity; shall we *stain* the letters of our alphabet by the liberation of colouring matter under the influence of electricity; or, lastly, shall we generate magnetism by a passing electrical current,

and use the magnetism, when generated, as a mechanical force to move machinery of wheels, and springs, and levers, whereby printing may be accomplished by actual type, as in the telegraphs of House and of Hughes; or by conventional signs marked on paper by a pen or style, as in the telegraph of Professor Morse? Assuming that we have to do with some variety of telegraph that needs the application of some considerable amount of mechanical force (and Morse's telegraph is amongst the number), we must begin by generating an electro-magnet. So, in making intelligible to the reader the general construction of Morse's telegraph, we shall begin at the descriptive point at which electricity develops magnetism, and thus, by giving rise to magnetic attraction and repulsion, places a motive force in the mechanician's hands, to be applied as may seem to him fitting. Nobody who reads this will need to be informed, one may reasonably assume, that a magnet is endowed with the property of attracting steel and iron, as may be demonstrated by many results—the picking up of iron filings, for example. Starting from this fact, suppose now we assume that the quality of magnetism may be imparted and destroyed at pleasure momentarily; then it follows that the magnetic attraction and repulsion would be respectively alternative, and that, by means of such alternation, a small particle of iron or steel might be caused to move up and down, to oscillate towards and from the attractive and repellent magnet. Now this power of imparting magnetism instantaneously is really at command, through the means of an electric current. We do not propose to explain the means by which this connection between magnetism and electricity is established: that would lead us into a disquisition upon the source of electro-magnetism, which is beyond the limits of our present intention. Enough for present purposes to intimate that, just as British telegraphic electricians have preferred to utilize the deflection of magnetic needles by electric currents along wires, so American telegraphic electricians have chiefly preferred to utilize the attractive and repulsive force of magnetic arrangements—the magnetism called into play by a passing current of electricity. Of this sort is the celebrated telegraphic system of Professor Morse. Before entering upon explanations of this system it may be well to premise that one great advantage, among many, is possessed by nearly all the telegraphic systems that depend for their efficiency upon the attractive and repulsive force of magnetism: the advantage, namely, of their being printing or recording telegraphs; whereas needle telegraphs cannot print their indications, their operation being restricted to a system of oscillations out of which a conventional alphabet is got by pre-arrangement. Now the magneto-motor system, as we may call it, can be applied to actual visible printing; and, in most of the telegraphs established on this basis, the system is so applied. It will be readily understood by the reader that, between the development of a mere motive power and the application of the latter to printing, many complexities of mechanism will have to be introduced. Without the aid of mechanical drawings, supplemented by tedious descriptions, one would be no nearer understanding the mode of action of a printing electric telegraph after having acquired a knowledge of the means whereby the mechanical force of magnetism was developed from electricity, than he would to the mode of action of a steam-printing machine, after having acquired a knowledge of the means whereby water had been converted into the motive force of steam. There are two electro-magnetic printing telegraphs, the complexity of which is so remarkable, made up as they are of wheels, air springs, pistons, piano keys—and, on the instant, we hardly

know what else besides—that we should despair making the general reader understand the *rationale* of the action of either. Very wonderful telegraphs these, the reader may well infer, when we tell him that by their means an electrician, sitting in his office here in London, can print, in fair Roman letters, a message hundreds of miles away. Were the task that of explaining the intimate mode of action of the telegraphs of House and Hughes respec-

a dot upon the paper. But suppose that, whilst the pen's point is resting upon the paper, some second individual draws the sheet by pulling it under the pen's point, and, in contact with the latter, what description of mark have we then? Why, a dash, necessarily. Now it stands to reason that, assuming the operator to be content with a system of dots and dashes for an alphabet, he need not take the trouble to impart any farther



PROFESSOR MORSE.

tively, we should not attempt it. The printing, or rather the recording telegraph, of Professor Morse, however—the one now under consideration—is a far more simple affair: so very simple that any person may understand the general nature and working of it who takes the trouble to follow us with only moderate care. *Impri- mis*: though the Morsean telegraph be a printing or recording telegraph, nevertheless, its printed record is not accomplished in the Roman character. A special alphabet has been devised for this telegraph—one of dots and dashes; these being the only marks the instrument, as now used, is capable of making. As will presently become apparent, a system of dots and dashes affords the very simplest, the very easiest, means of printing by mechanism. To illustrate this: suppose that one operator presses the point of a pen or style down upon a sheet of paper, and then, lifting the pen, removes it from the paper; what do we find then upon the paper? what sort of a mark? Why, necessarily we have

motion to his hand and arm than that of an up-and-down motion; and this is a consideration of very great importance, as will soon be evident. Instead, now, of the primitive illustration just chosen—that, namely, of a sheet of paper drawn by hand under the marking-point—if we assume a tape-like strip of paper drawn by clock-work motion, equably and continually, under a point the ascent and descent of which are effected by magnetic attraction and repulsion developed through electricity, then have we a Morse's telegraph. The most casual reflection on the mechanical arrangements of this instrument will suffice to prove that dots and dashes are the only sort of marks it is capable of making; but these constitute a system efficient not only for all alphabetic purposes, but for numerals and punctuation as well. As already stated, Morse's telegraph is the one chiefly used in America; but the Germans also use it extensively, and so do the Russians; moreover, Morse's system, and its cognate, the telegraph of Baines, are also

used, but not extensively, in England. Never departing from changes rung upon dots and dashes, still the Morse American alphabet is not identical with the Morse English alphabet, and the Morse American and Morse German alphabets possess respective differences of their own. To accommodate the Morse dots and dashes to the Russian alphabet was the most difficult task, seeing that the Russian alphabet contains no fewer than thirty-six letters. For the purposes of telegraphy, however, these thirty-six have been compressed into an alphabet of thirty. In gratification now of the natural curiosity of such of our readers who may like to know in what manner dots and dashes admit of being converted into an alphabet, we shall subjoin an illustration, not reproducing the alphabet itself but the short sentence

IN HOC SIGNO VINCES.

The alphabet here employed, be it remarked, belongs to the American system.

To promote despatch, in addition to actual words, various conventional signs have been agreed upon, from the number of which we select the following :

I I—I am ready.
O K—All correct.
G A—Go ahead.
S S S—Fresh signal.
R R—Repeat.
G M—Good morning.
G N—Good night.
A h r—Another.
C o l—Collect.
P d—Paid.
w—words.
D H—Froo.
S F D—Stop for dinner.
S F T—Stop for tea.

S F P—Stop for paper.
1—Wait a moment.
2—Get answer immediately
13—Do you understand?
23—A message for all.
31—Don't understand.
33—Answer paid here.
44—Answer immediately by telegraph.
77—Are you ready to receive my message?
92—Was message 000 received and delivered?

Hitherto we have described the telegraph of Morse as a printing telegraph, which it exclusively was, and still, when desired, may be: nevertheless, for economy's sake, the printing function of this telegraph is now commonly dispensed with; the spelling being made evident to the ear by the beats of the instrument whilst working; instead of to the eye, by markings recorded upon paper. Whether this instrument be made to tell its tale by the medium of a visible record or by the sound of its beats, great delicacy of manipulation is required on the part of the operator.

Some persons can never be educated to work this instrument efficiently; and these, it will be found, are devoid of what musicians call the sense or capacity of time. Let us suppose that an operator in London desires to transmit a message to Liverpool, by means of a Morse telegraph; he commences by giving intimation, through an alarm, that the work is about to begin; whereupon the operator at Liverpool, having acknowledged the call, begins by setting his clock-work in motion; whereby the strip of paper is continuously and equably drawn along. Then the operator at London, for every dot he wishes to make, presses down a spring lever and lets it instantaneously back; whilst, for every dash, he holds the lever down awhile. By adopting this manipulation the dot and dash alphabet will necessarily result; but he must be careful, or else the whole record will become one mass of inextricable confusion. In practice the most efficient way of insuring the due relative measure of these dots and dashes is to make them rhythmically, to the time of some imaginary music. There is very little use in any one's endeavouring to excel as a manipulator unless he possess an accurate appreciation of musical time. Many persons have utterly failed to become operators from want of a proper development of this faculty.

Recalling attention now to the fact that, instead of mark-

ing the dot and dash alphabet by a style or point, it may be impressed by burning upon a slip of paper, through the contact of a red-hot wire, perhaps the reader need not be informed that, when a current of electricity is transmitted along a platinum wire of competent size, the latter becomes glowing hot; which fact remembered, the application of it to telegraphic purposes will be obvious. Of this kind is the thermo-electric telegraphic apparatus of House. Reverting next, and finally, to the device of developing colour on a strip of paper imbued with certain chemicals, by the contact of a conductive electrical point, it will be readily seen in what manner this system can be adapted to the needs of a dot-and-dash alphabet. Of this kind is the telegraph of Baines—a perfectly efficient instrument, which has given satisfaction whenever and wherever employed.

One final remark now in reference to the telegraphic system of Morse; and the remark is important. We have hitherto described this instrument as a recording instrument, and in doing so we have been quite correct, with the following limitation. Though it can record, nevertheless, at the present time, in America at least, the recording function is seldom required of it. Inasmuch as the recording mechanism makes a clicking noise, American operators soon learned, as already stated, to understand the language of the clicks; whereupon the recording telegraph became the *talking telegraph*, after a certain manner of speaking. This is a very wonderful result; though one not more wonderful than obvious to any reader who has followed the description we have given with moderate care.

THE DURBAR AT LAHORE.

MANY readers of the "Leisure Hour" may like to preserve the following graphic description of one of the most picturesque and notable scenes in all history. We quote from the "Times" of November 23rd, 1864:—

On the 18th of last month, as the telegraph informed us, Sir John Lawrence "held a Durbar at Lahore." The meaning of this simple announcement was that the Queen of England had, by her representative and deputy the Viceroy of India, been holding a levée in Central Asia, and had received the homage of six hundred princes assembled from remote regions in her honour. Perhaps in the narratives of Froissart we might find a description or two yielding some idea of the spectacles which royal meetings presented before the splendour of semi-barbarism had been put aside by advancing civilization. But we may as well say at once that Europe never did, and never could, furnish such a show as that at Lahore. Only in the East are the distinctions of long descent and interminable history combined with the primitive habits of half-civilized races. Only there is barbarism noble and magnificent. These chiefs and princes, who, at the invitation of the British Viceroy, went up to Lahore, might be deemed uncivilized if measured by a modern standard; but one of them represented a line of kings who, according to the firm belief of the country, have reigned in the same dominions for ten thousand years, and yet he only came seventeenth in the order of precedence. These men were all dignified, proud, and powerful; and many of them so independent that they had never deigned to attend such a levée before.

The Punjab is the north-westernmost province of British India. So far does it penetrate into Asia that a single step over the border will take you into Independent Tartary. It is conterminous with the rudest

parts of China and the wilds of Afghanistan. On these frontiers reside chieftains amenable to little authority save that of opinion—monarchs with considerable territories, or princes with patriarchal power. In the province itself there is an aristocracy of no mean quality, whose allegiance has passed from a native sovereign to the Queen of this realm. To this province, as large and as populous as a European kingdom, Sir John repaired in the course of a progress through the Presidency, and there invited all the chiefs within range to a high Durbar. Six hundred and four obeyed the summons, including kings under our protection, princes of the hills, military lords from the Afghan border, and the high nobility of the Punjab itself. No native monarch had ever convoked such a court. The Mogul sovereigns could not have thus commanded the Punjab; Runjeet Singh, the great ruler of the Punjab, could not have controlled the princes on the frontier. But on this occasion none were so high or so low as to neglect the call. Partly from the renown of Sir John Lawrence, but partly also from the enhanced and growing reputation of the British rule, all concurred in tendering the compliment conveyed by the ceremony, even the old and infirm being brought to the rendezvous. The Durbar was held in magnificent tents pitched on a smooth plain outside the walls of Lahore. The commencement of the ceremony was expected at nine in the morning; but the smaller chiefs began to arrive at seven, and before half-past eight the highest of the assembly were in their places. In the East magnificence of costume is still expected, and the dresses of these Asiatic princes might be chronicled like the toilets at our royal drawing-rooms. The Rajah of Jheend was dressed in pure white muslin, gleaming all over with diamonds and emeralds, and a yellow turban. The Maharajah of Putteala, a very important personage, wore a dress of rich lavender silk, but so overlaid with emeralds and pearls that the colour could hardly be distinguished. The Maharajah of Cashmere and his son, a boy of ten, were in white, with red and yellow turbans, emeralds, and diamonds. One chief, of great stature, appeared in black and gold with a green turban; another showed his true Sikh extraction by a robe of pure yellow. The characters and histories of these princes were as striking and varied as their apparel. There were the two high priests of the Sikh nation, lineal descendants of the very prophet who founded the state. There was the very Sikh nobleman who, as the best horseman of his race, had led the charge against us at Chillianwallah. There was the noble Persian of the Kussilbash tribe who had rescued the English prisoners from Cabul. There was a little nabob, only seven years old, who behaved with as much intelligence and composure as the most experienced ruler. One chieftain present was noted as the handsomest man in the north-west, another as the wittiest, a third as the heaviest—who was so large, indeed, that the arms of his chair had to be cut off before he could be seated. Not a state, not a dynasty, not a principality, not an office, not a dignity remained unrepresented in that Durbar.

And who were they who received the reverence of this unparalleled assembly? The two first representatives of the sovereign of India had been Irish lads at a school at Londonderry; the next was a Bluecoat-boy at Christ's Hospital less than thirty years ago. One of these, however, now, in the name of his Queen, governed the whole of India more completely and absolutely than it ever had been governed by the great Moguls; and, as the entire meeting rose in his honour, he addressed the chiefs in their own language with the ease and fluency of a native. Never up to this time had such a proceed-

ing been recorded. Some of the earlier governors of India could certainly have spoken Hindostanee, but they never enjoyed such an occasion of doing so. It was reserved for Sir John Lawrence to unite the accomplishments and the power which thus brought him into direct intercourse with the rajahs, the maharajahs, the nabobs, and the sirdars of territories once beyond our knowledge, and to these princes he addressed words of impressive simplicity and force. He told them how, when he lately stood in the presence of the Queen of England, she had inculcated on him the duty of promoting their welfare, and how her consort, the Prince, whose greatness and goodness were everywhere known, had always felt the deepest interest in the prosperity of India. He reminded them of the solid advantages which they had actually derived from the English rule, and acknowledged the devotion by which, in the hour of our peril, they had repaid the obligation. He told them to educate their children in sound learning, and to acquaint themselves with the true policy and intentions of their rulers, so that they might discern and recognise the character of our Government. Then the whole six hundred were presented to him one by one, princes and their heirs-apparent, great ministers of state, rajahs and nabobs, spiritual potentates and military chiefs.

It was thought that six hours would be required for a list of presentations, of which none could be omitted or hurried; but, so successfully were the ceremonies conducted, that half the time was saved, and the Durbar was over at noon. First rolled away the Viceroy's carriage, escorted by his body-guard and under a royal salute, and then three or four princes of the highest rank were escorted to their trains with almost equal ceremony. But, when the most lordly of the grandes had departed, the assembly gradually broke up, and resolved itself into a stately mob of Oriental dignitaries. Conspicuous in the crowd were two ambassadors from Kokan, a city remote and obscure even in the eyes of the Sikhs themselves, who had arrived on a mission from the fabulous regions beyond Bokhara. Two battalions of British infantry, with a few squadrons of cavalry, sufficed to represent the military power of that empire to which all this reverence had been paid; and one of these regiments conducted in no slight degree to the gratification of the nobles assembled. Whether from fastidiousness of taste or otherwise it might be dangerous to inquire, but of all European music the Indian ear loves that of the Scottish bagpipe alone; and, when the pipers of the 93rd were ordered out to play, the gratification of her Majesty's princely vassals was complete. Three times were the pipes brought up and played round the great tent, to the delight of the company; and the Maharajah of Cashmere, we are informed, has sent an embassy to Sealkote for the express purpose of getting instruction on the instrument from the Highland corps quartered there, while another hill chieftain has bespoken the genuine article direct from Edinburgh. A single morning witnessed the beginning and conclusion of this extraordinary scene; but, if its character and import are duly considered, it will take rank with any ceremony of ancient or modern times.

SPEECH OF THE GOVERNOR-GENERAL.

Maharajahs, Rajahs, and Chiefs,—Listen to my words. I have come among you after an absence of nearly six years, and thank you for the kindly welcome you have given me. It is with pleasure that I meet so many of my old friends, while I mourn the loss of those who have passed away. Princes and chiefs, it is with great satisfaction that I find nearly six hundred of you assembled around me in this Durbar. I see before me the faces of many friends. I recognise the sons of my old allies, the Maharajah of Cashmere and Puttiala; the Sikh chiefs of

Malwah, and the Manjha; the Rajpoot chiefs of the Hills; the Mohammedan Mutlicks of Peshawur and Kohat; the Sirdars of the Derajat, of Hazara, and Delhi. All have gathered together to do honour to their old ruler. My friends, let me tell you of the great interest which the illustrious Queen of England takes in all matters connected with the welfare, and comfort, and contentment of the people of India. Let me inform you how, when I returned to my native country, and had the honour of standing in the presence of her Majesty, how kindly she asked after the welfare of her subjects in the East. Let me tell you when that great Queen appointed me her Viceroy of India, how warmly she enjoined on me the duty of caring for your interests. Prince Albert, the Consort of her Majesty, the fame of whose greatness and goodness has spread through the whole world, was well acquainted with all connected with this country, and always evinced an ardent desire to see its people happy and flourishing. My friends, it is now more than eighteen years since I first saw Lahore. For thirteen years I lived in the Punjab. For many years my brother, Sir Henry Lawrence, and I governed this vast country. You all knew him well, and his memory will ever dwell in your hearts as a ruler who was a real friend of its people. I may truly say that from the day we exercised authority in the land we spared neither our time, nor our labour, nor our health, in endeavouring to accomplish the work which we had undertaken. We studied to make ourselves acquainted with the usages, the feelings, and the wants of every class and race; and we endeavoured to improve the condition of all. There are few parts of this province which I have not visited, and which I hope that I did not leave in some degree the better for my visit. Since British rule was introduced taxation of all kinds has been lightened, canals and roads have been constructed, and schools of learning have been established. From the highest to the lowest the people have become contented, and have proved loyal. When the great military revolt of 1857 occurred, they aided their rulers most effectively in putting it down. The chiefs mustered their contingents, which served faithfully, and thousands of Punjabee soldiers flocked to our standards and shared with the British troops the glories, as well as the hardships, of that great struggle. Princes and gentlemen, if it be wise for the rulers of a country to understand the language and appreciate the feelings of its people, it is as important that they should have a similar knowledge of their rulers. It is only by such means that the two classes can live happily together. To this end I urge you to instruct your sons and even your daughters. Among the solid advantages which you have gained from English rule I will now only advert to one more. It has given the country many excellent administrators. Some of the ablest and kindest of my countrymen have been employed in the Punjab. Every man, from the highest to the lowest, can appreciate a good ruler. You have such men as Sir Robert Montgomery, Mr. Donald McLeod, Mr. Roberts, Sir Herbert Edwardes, Colonel Lake, and Colonel John Becher—officers who have devoted themselves to your service. I will now only add that I pray the great God, who is the God of all the races and all the people of this world, that he may guard and protect you, and teach you all to love justice and hate oppression, and enable you each in his several ways to do all the good in his power. May he give you all that is for your real benefit. So long as I live I shall never forget the years that I passed in the Punjab, and the friends that I have acquired throughout this province.

THE CALIFORNIA OVERLAND EXPRESS:

THE LONGEST STAGE-RIDE IN THE WORLD.

FIFTEENTH DAY.—LLANO ESTACADO.

A FINE moonlight night, and tolerably smooth travel, free from the jolts of our recent mountain route above the Rio Grande. At three o'clock this morning we halted at the Pecos river, and had an opportunity for a hasty wash, whilst the ferry-boat was getting ready. The writer carried with him, in a small satchel, a sponge and towel, and several changes of linen, separately and tightly wrapped up, so as to be reached without trouble at a minute's notice, the time being very limited at the two or three opportunities of a bathe which may occur during the journey. Many passengers go through the entire route without once changing their linen, and sometimes with the barest apology for washing. At the little

town of Pecos, many miles above the spot where we crossed the river, there are the remains of an ancient Aztec temple, where, as recently as twenty-five years ago, the Pueblo Indians carefully cherished "the eternal fires of Montezuma," which had not been suffered to become extinct for ages previously. Our route along the Mexican frontier lay in several places very near the Casas Grandes, which are extensive ruins of Aztec palaces and temples, distinguished by the usual characteristics of grotesque inscriptions, absence of windows, and by pyramidal tendencies. In Northern Mexico are remote valleys whose inhabitants still cherish the traditional hope of their fathers, that of the advent of the royal Montezuma to a restored and permanently glorious empire, exceeding the splendours of the ancient days, and once more freed from the oppressing presence of the Spaniard and the stranger.

After leaving the banks of the Pecos we rode for forty miles over a dreary region, the western portion of the Llano Estacado, or Staked Plain, a long and very barren tract of table-land, so named from a line of stakes formerly set up across it for the guidance of the traders between Texas and New Mexico, travelling from San Antonio to Santa Fé.

Throughout our Overland journey our approach to a station, whether previous to a relay or a meal, was announced at a distance by a long blast from the conductor's horn, often heard far away in the silence of the wilds, and serving to economize time by enabling the station-keepers to prepare the requirements both of the hungry passengers and jaded mules. But never was the sound more welcome than to-day at noon, after sixteen hours' fasting during an airy ride in these clear upland regions. On dismounting at the station we found a good dish of dried apples stewed, fried steaks, and hot coffee, and never ate a breakfast with a keener relish.

During the past week we have travelled through many "dog-towns," or districts full of the burrows of the prairie marmot (*Arctomys ludoviciana*). Some of the "towns" were miles in extent. Mr. Bartlett asserts, in his work on the Western Plains, that he once passed for three days continuously through a dog-town, which was sixty miles long, and makes a calculation (based on very moderate estimates as to the number of burrows) that there must be upwards of thirty million marmots in one such community. In winter they hibernate, and their vast cities are filled with a motionless population; but in summer they are extremely nimble, and we saw them scampering in all directions, whilst some were acting as sentinels, watching and peeping from the summit of their raised hillocks. Amongst them are numerous rattle-snakes and small owls, both of which appear in good condition, and are popularly said to form a vast "happy family" with the marmots; but the probability is (considering the usual relations which subsist between snakes, owls, and small weak quadrupeds) that the "happiness" of such communities is very one-sided, and that the little prairie dogs and their young not only afford lodgings to their feathered and scaly neighbours by their burrowing labours, but board also, at the expense of their own sleek and rounded bodies.

Towards evening we reached a more fertile region of prairie vegetation, and traversed long undulations clothed with the deep leafage and bright blossoms of asters, red and blue verbenas, golden rod, the milk-plat and convolvulus, the wild cherry, and with miles of sunflowers—the latter all alike turning as with faithful glance to the great luminary from which they derive their name, and affording to a lover of symbolisms a beautiful emblem of spiritual and moral allegiance.

Amongst this vegetation we observed herds of antelope, several red deer (the white-tailed prairie species), many mule-eared hares, a wild turkey, and several venomous smaller creatures, as the tarantula and the long brown centipede, also large ant-hills.

The tarantula of Texas has a body as large as a pigeon's egg, and will nearly cover a man's palm when its legs are spread out. Its eyes are prominent, and glisten with mischief and evil. Its bite is often fatal in this region, and it is one of the worst pests of the prairie, but displays great ingenuity in the construction of the circular valve-like doors of its subterranean dwelling.

After sundown one of the passengers exclaimed, "Lightning bugs!" and, on turning to see what these were, we found them to be fire-flies, a number of which were gliding in beautiful curves across a stream, like silently floating stars of bright green fire amongst the deepening shades of the surrounding foliage. This was at the head of the Concho, a tributary of the river Colorado of Texas, and from hence onward the prairies gradually became more and more sprinkled with trees, until entirely lost in the vast forests of the western limits of the Mississippi valley. We observed fire-flies after this almost every evening until reaching the Atlantic. They are one of the principal ornaments of an American landscape after sunset.

SIXTEENTH DAY.—FORT CHADBOURNE.

At the Concho we met the westward-bound stage, eight days from St. Louis, and, as we reached the station just before it, we had the single relay of horses which was on the spot, leaving for the use of the other waggon only our own already jaded animals. This was the case at several stations, owing to defective arrangements. At this station, a week ago, a man was scalped by the Indians; early this morning we passed a small party of Texan Rangers proceeding in search of the offenders.

To-day we reached Fort Chadbourne, and breakfasted at the first inclosed farm we have seen since leaving California, and at the same time met with the first appearance of slavery in our route, as a regular institution. Our table and food were black with clustering flies, which crowded even into our tea, and had to be spooned out by wholesale.

After starting from Chadbourne, as we were going down an arroyo or ravine across the plain, one of our company exclaimed, "There's an Indian on horseback lurking just behind us under the trees!" Our conductor immediately jumped out, and, on perceiving what appeared to be an Indian, fired his revolver at him; but the other was too quick for him, and rapidly galloped off. The conductor vows vengeance against the red men, and declares he has promised to give his wife an Indian scalp "to keep her combs in," and means to fulfil his engagement. He seems to be much of a savage himself, if we may judge by his vile conversation and constant oaths, even worse than the generality of his fraternity. On one occasion he detained us and the mails a quarter of an hour whilst quarrelling with another Overland employé, and, after mutual threats of "whipping" one another, our worthy finally shirked off, and for some stages further burdened us with his unacceptable company and guidance.

We have to-day passed over a blackened tract of ground, still smouldering in places after a recent prairie fire, which was still burning in the distance, sweeping off the thick herbage and stripping the larger trees of their foliage, at least for this year. Our driver tells us that at this part of the route he has had, on a former journey,

to wait for half an hour whilst a long herd of buffaloes passed by; but we have as yet seen none, as they are gone northward during the summer heats.

To-day, and at other times during the route, we have lost our hats whilst nodding in a quiet doze. Each passenger, except the writer, has lost at least one hat "overboard" since leaving San Francisco.

SEVENTEENTH AND EIGHTEENTH DAYS.—NORTH-EASTERN TEXAS.

Although still on the furthest verge of the civilized frontier, we have now left the great Western prairies behind us, with their solemn, silent loneliness, and are hourly journeying into thicker and thicker forest regions.

After fording the shallow head-waters of the Brazos we reached Fort Belknap, a place of considerable notoriety in the annals of border Texan exploits, and in its neighbourhood observed more fenced land and log-houses. It being Sunday, we met a party of young men and women riding home from some woodland chapel. Our route to-day, and for hundreds of miles eastward, lay almost uninterruptedly through forests. We have now entered the Cross Timbers, a specially densely-wooded tract of northern Texas, stretching for two hundred and fifty miles, and with a breadth of about forty miles. It is composed of "post oak," "white oak," Spanish, and "jack oak," hickory, pecan, sycamore, sassafras and persimmon; but the varieties of oak are by far the principal constituents.

With the uninhabited solitudes of the desert and prairie we have also left behind us the rough and often villainous station-keepers and their coarse fare. The stations hereabouts and henceforward are kept by persons who generally have, in connection with them, a store or farm, and whose accommodation and manners are a decided improvement on what we have hitherto met with. To-day we had green Indian-corn served as a vegetable for dinner. It resembles peas in flavour and juiciness. Further on our bill of fare included at times potatoes, salads, pies, and honeycomb, but scarcely on any occasion could we obtain any milk.

At night this portion of the route was rendered very lively by the constant jolting through the rough forest tracts, and by an increasingly uneven surface, as well as by the loud rattles, chirpings, and scrapings of innumerable katydids and wild crickets. Happily we had also glorious moonlight; and it was very pleasant to have such aid, both when walking and riding.

After travelling nearly eight hundred miles over Texan soil we now reached almost the only Texan town on our route, a neat little place named Gainesville; and a few miles further on we came to Sherman, near the Red River. Here our backwoodsman companion, "Texas," took leave of us; also another Californian miner, a disagreeable fellow, who, with his similarly surly dog, had been thrust in upon us as "way passengers" at Fort Chadbourne, two hundred and eighty-five miles west of Sherman.

Thus lightened, and without receiving at present any other passengers, we drove rapidly over a temporary re-appearance of prairies and blossomed plains, till about sunset we entered the dark and tangled jungle which for many hundred miles skirts the Red River. The trees hereabouts were densely festooned with wild vines, bright convolvuli, and crimson trumpet-flowers. The scene was a mixture of forest, garden, swamp, vineyard, hopyard, and jungle all in one. The road was of stoneless earth and mud, with frequently projecting and jolting stumps; whilst over some specially shaky parts patches of "corduroy" were laid down, along whose ribbed irregular surface our motion was none of the

smoothest. We found the muddy water of the Red River much beneath its usual level, and were ferried across by slaves, from one deep red earthy bluff of bank to another similar one on the eastern side, up which we scrambled; and were now in the Indian Territory, the tract of fertile region, five hundred miles long by two hundred broad, permanently guaranteed by the Federal Government to the remnant of the various tribes who once were lords of the whole territory from the Mississippi to the Atlantic.

After supper at a large log-house, we again travelled all night through forest regions, and on awaking in the morning perceived two new companions sitting in our midst, one a government agent for the protection of the Indian tribes hereabouts and the other, a Yankee school-master of a mission-school for the young aborigines. We found both of these to be gentlemen, and, in conversation and politeness, a great improvement compared with the passengers who left us at Sherman.

NINETEENTH DAY.—THE INDIAN TERRITORY.

Notwithstanding the general exclusion of whites from the occupation of land in the Indian Territory, we found several in possession of farms in the most fertile districts. Early this morning we breakfasted at one such establishment, taking our meal under the verandah outside an open door, just within which the lady of the house was comfortably smoking a pipe, whilst still in bed, with her daughter at her side. Both watched the operations at the table with the easy *nonchalance* of backwoods-etiquette. Similarly comfortable, an old negress was smoking at the door of one of the out-buildings, and at the same time keeping a quiet eye upon a number of frolicking curly-headed black children, some of whose seniors might, however, have been less at ease in the establishment than appeared to be the case with themselves; for, in front of the verandah, there was a notice offering "two hundred and fifty dollars reward for the apprehension of my slave Frank," who had run off in search of a happier allotment.

As visitors we could not complain of our fare here, as we had sweet green corn and the first potatoes since the commencement of our journey from San Francisco.

The Indian Territory much resembles the better parts of Texas in its fertile openings, abundance of wood, and adaptability for agriculture, more especially for cattle-raising. It is thinly peopled by the surviving representatives of the Choctaws, Cherokees, Chickasaws, Creeks, Shawnees, Kickapoos, Seminoles, Pawnees, Wichitas, and Delawares, an aggregate population of eighty thousand, of whom a fourth are Choctaws.

These tribes have always been somewhat superior in character to the Indians of the prairie and desert regions westward, including the Apaches, Comanches, and Arapahoes. All the latter are more treacherous than the eastern races, from whom they differ in various other respects; as, for instance, by the use of bows and arrows instead of rifles, by living more in the saddle than on foot, and by an almost total disuse of agriculture or settled residences. They are also more licentious, but less cruel than the former.

The leading tribes now established in the Territory are the Choctaws and Cherokees. The latter are the most intelligent and civilized, and have amongst them a regular aristocratic organization. They have good houses, and keep slaves. The young Choctaws eagerly seek matrimonial alliances with the Cherokee ladies, many of whom are well dowered both with wealth and education, and have adopted crinolines and pianos.

Open murder and private assassination, together with

perjury and miscellaneous outrages, are characteristics of the tribes in the Territory, especially amongst the Chickasaws and Choctaws. Small as the allotted district is which is thus apportioned for the permanent possession of so many, and formerly so extensive nations, there seems every probability that, in spite of the ample opportunities these now enjoy for quiet progress and increase, two or three generations will witness their extinction. As we traversed the sunny forest glades and fertile undulations of open land, our American passengers expressed, in no gentle terms, their disapprobation of the forbearance of the Federal Government in reserving so scanty an ample and splendid region for a population so scanty and so evidently unable to avail themselves of even a small portion of the vast and easily attainable advantages set before them. The Indian Territory confirms the almost universal experience that, by nations as well as by individuals, permanent establishment and eminent usefulness can only be attained through the means of the many gradations and varieties of a long preliminary discipline. Humanly speaking, it appears absolutely impossible for aboriginal races like the North American Indians to maintain an existence advantageous to their neighbours or to themselves, when brought into contact with superior races; and facts abundantly testify to the wisdom and mercy of that apparently inevitable law of Providence that no such inveterately savage race shall be by any means enabled, in these latter ages of the world's history, to continue as a thorn and stumbling-block in the way of the elder and nobler nations, who have been brought, through ages of political and social discipline, to a foremost position of beneficent influence in Christendom and in the world at large. So that, whilst we may mourn, in a poetical and traditionary point of view, over the gradual but certain disappearance of these "children of the forest," after their ages of mere animal enjoyment of an uncivilized and unprogressive existence, and whilst seeking the temporal and spiritual improvement of the survivors, we may thankfully reflect on the incalculable benefits to mankind to be derived from the possession of their vast vacated territories by races who have borne hither, and laboriously established, from beyond the Atlantic, the accumulated treasures both of their own rich civilization and that also of the first-born and pre-eminently favoured nations of Palestine, Greece, and Rome.

The southern continuation of the Ozark mountains extends into the Indian Territory, adding to the picturesqueness of the scenery more than to the facility of travel. We took twelve hours in accomplishing forty-seven miles through this district, which became far more difficult northward. Much of the Territory is carboniferous, and in many parts beautiful fossils are obtained, and, in particular, fine specimens of dendritic rock.

We found the temperature, though extremely warm, hereabouts (98° in the shade) far more endurable than that experienced in the Colorado and Gila deserts.

TWENTIETH DAY.—ARKANSAS.

This was the anniversary of the Declaration of Independence, "the glorious Fourth," and accordingly, at midnight, the passengers (all being Americans except the writer) welcomed its advent with loud hurrahs. Yet it had been interesting to the writer to notice repeatedly, during the journey, how his republican companions freely expressed their deep discontent with many of their own political circumstances, especially deploring the hopeless corruption of their executive government.

A radical source of political evil was acknowledged to

be the unprecedented place-hunting encouraged by the established practice of compelling all subordinate *employés* (including post-masters and custom-house officials) to evacuate their situations at every change in the administration, and frequently at shorter intervals. Thus personal merit and exemplary performance of duty receive no reward, but actually place their exhibitor in a more unfavourable position as to his own pecuniary interests than that enjoyed by immoral and unprincipled persons. A gentleman remarked to the writer that, during his ten years' residence in San Francisco, he had known almost every desk in the city custom-house officered afresh about six times. Another Californian, speaking of Federal *employés* generally, added, "They go in for the stealings," more than for their regularly recognised emolument. The recent defalcations and disclosures in the highest circles at Washington abundantly prove the truth of this remark.

To-day we breakfasted at Sculleyville, a station kept by the governor of the Choctaws, who has here a thriving farm. Near one of the Indian villages we observed a post with a hole at the top, through which balls are driven with sticks by the Indians when playing their national game. This sport requires great skill, and is rough work, often leading to severe injuries or loss of life.

Major Blain (Indian protector under the Federal Government, and one of our passengers) remarks that he has been struck with the poetic beauty of many of the expressions in the aboriginal languages. Thus, the Comanches call the stars "God's eyes," and the moon is the "night queen." He adds that this once powerful and dreaded nation are now fearfully wasting away, through their degraded habits imitated from the worst of the whites. It is characteristic generally of savage aborigines that, on contact with superior races, they immediately adopt the worst vices of the latter, whilst obstinately and hopelessly refusing to profit by their virtues.

After a hot and dusty drag of fifteen miles in six hours, our horses fairly gave in, and we had to walk the last part of the stage west of Fort Smith. On reaching this town, on the frontier of Arkansas and of civilization, we found every one holiday-keeping, in honour of "the Fourth." We were allowed two hours' delay—a very welcome opportunity for a bath and a leisurely dinner at a regular hotel. There we emerged on the comforts of ice-water and ice-cream, both such universal requirements of loyal American citizens in summer. Our landlord had a fat pig in readiness for some western agricultural exhibition, and, in order to restrain any diminution of size by the copious perspiration in the sweltering weather, a large block of ice was placed on the recumbent animal; and the latter seemed very comfortably to appreciate the attention thus given to his personal condition.

At Fort Smith, for once, we met with a really conscientious stage-agent, who refused to permit our being crowded with any further addition to our full complement of way passengers, much to the loudly-expressed chagrin of an Irishman and a lady, who were desirous of favouring us with their presence, regardless of our convenience, if not so of their own.

In the evening we crossed the Arkansas river, on a ferry propelled by two horses walking round a sort of treadmill, or nearly horizontal wheel, communicating motion to the paddles. This kind of locomotive power we had not previously met with, nor did we see any recurrence of it subsequently.

Our route continues through hilly forests, chiefly of

oak, but with many hickories and papaw-trees. The latter somewhat resemble laurels, but their large oval leaves are all pendent.

The population hereabouts is still very scanty, and only a few log-houses have broken the solitude of our journey, with the exception of the two towns of Fort Smith and Van Buren, both of which are close to a navigable river.

Smoking seems to be in frequent favour hereabouts with the gentler sex, if we may judge by our observations of both whites and slaves. At a relay station this morning we saw an announcement offering a reward of a thousand dollars for the apprehension of seven runaway negroes.

This evening our route has become more rugged than at any former stage of the journey, except the San Felipe Pass, west of the Colorado Desert, in California. We have passed several emigrant parties resting at camp-fires and guarded by noisy dogs, all bound to Texas, or still further west.

TWENTY-FIRST DAY.—THE OZARKS.

Last night we crossed Boston Mountain, a spur of the Ozarks. Hour after hour we clambered literally "upstairs," for our route lay at times in the channel of a mountain stream, over successive ledges of rock. The worst of the ascent we had to walk, which was more comfortable than when inside, as there was bright moonlight. The scenery of the deep gorge was very romantic, and fireflies were swarming around us in every direction. When riding, our night was anything but favourable to sleep, being a continuous succession of unmitigated jolts, knocking our faces, shoulders, knees, and backs against the waggon, or one another. But at last tired nature could hold out no longer, and we sank into the soundest and sweetest unconsciousness of the lively behaviour of our vehicle.

Soon after awaking we entered the town of Fayetteville, a go-ahead place possessing its pillared court-house, churches, and ladies' college.

To-day we have traversed a splendid region of forest and meadow openings, scattered with fertile fields of cotton, maize, and especially heavy crops of Hungarian millet-grass.

Our commissariat here amply amends for our recent desert fare. This evening we had a good supper of eggs, honey, potatoes, French beans, steaks, and pastry in abundance, and with courtesy: the latter we do not always receive in addition, when in the plains or elsewhere.

During our journey we have had no opportunity for reading, as the hurried relays and motion of the vehicle have effectually confined our employments to conversation and observation. The former has embraced "things in general," with one exception. We have, by common consent, carefully avoided the slightest allusions to slavery, in its moral and political bearings. This topic has always, and especially of late years, been a dangerous one for travellers in the South, whether northerners or foreigners; and, although some of us had our own decided opinions in favour of abolitionism, we felt that for the present silence was wisdom, as very mild expressions of an anti-slavery nature have repeatedly produced most unpleasant and even fatal results to their utterers. It would be particularly disagreeable to have one's journey interrupted in the summary manner which has sometimes been the case with the incautious in these parts. We remembered that, in Texas and Arkansas, suspicion is easily roused; and tar, feathers, or a halter, have often been easily improvised by the irresponsible sovereignty of pro-slavery mobs.

So far, however, as our limited opportunities of observation extended to the agricultural and domestic aspects of slavery in the districts through which we passed, and so far, also, as the dress, conversation, and actions of the negroes hereabouts impressed us, there was evidently a large amount of comfort and moderation in their condition and treatment.

The chief objections to slavery are not so much on the ground of comfort or economy, as on that of the deep and wide-spread moral degradation and spiritual desolation necessarily implied in the existence of the system.

In the vegetation of these districts sumach-trees and the "jensen-weed" are abundantly conspicuous. The bright red foliage of the former is very ornamental; its leaves are used by the Indians as a substitute for tobacco. The "jensen-weed" is so named from its having been mistaken for salad by the early Virginian colonists of Jamestown, an awkward mishap which nearly led to serious results, as it is the stramonium of the pharmacopœia, or a closely allied species. Other prevalent blossoms hereabouts are those of the mullein, horse-mint, iron-weed, red asters, wild carnation, and "poke-weed."

TWENTY-SECOND DAY.—WESTERN MISSOURI.

In Missouri at last. Yesterday we changed at Fayetteville from a light waggon to a regular Western "coach," similar to the one in which we started from San Francisco; but with it we received an accession of five passengers inside—a widow and four small children. Last night, in accordance with the established habit of our journey, when it became dark we dropped into silence, or tried to, in order to sleep, but in vain; talk, talk, continued the widow, though receiving from us very monosyllabic replies, and then broader and broader hints as to acceptableness of quiet, which at last were complied with, till we slept.

Early in the morning we reached Springfield, where the mail agent found that it would be impossible to forward all the miscellaneous coachful of passengers, luggage, and letter-bags, so as to reach the Syracuse railroad in time to despatch the latter by to-morrow's train to St. Louis, which, if missed, would entail a further delay to the mails of forty-eight hours, till Monday morning, as no train would run between that time and to-morrow (Saturday) morning.

Having all along been much incommoded by the bulky mail-sacks, we now gained through them the advantage of an accelerated conclusion to our journey, as the agent here decided to forward the letters and the through passengers by a smaller fast conveyance, leaving the coach, the widow, and her family, with the remaining passengers and baggage, to follow more at leisure. Thus freed from *impedimenta*, we started at a brisk rate.

But we were still one hundred and thirty-five miles from the western terminus of "the Pacific Railroad," at Syracuse, and it was a very doubtful matter whether, with the utmost exertion, we could accomplish this so as to save the Saturday train leaving at eight o'clock to-morrow for St. Louis, as it was now six on Friday morning. However, on we went, driven in the characteristic wild style of Yankee drivers, and, when near a relay, perceived the westward-bound stage coming over a hill.

We knew that, if this reached the station before ourselves, it would secure the right of priority in case of there being only one relay of horses at hand, which would ruin our chance of catching the train, as the last stage in would have to proceed with already jaded horses. Our driver urged on the team, and we drew up at the station just a few minutes before the others came steaming in. The fresh horses were ours, and were also, as we had

anticipated, the only animals in waiting. Thus aided, we dashed on again, and kept it up briskly all day.

In the evening we crossed the Osage river at an easily fordable point near the town of Warsaw. Here one of our through passengers left us. He was a gold-digger, returning, after nine years absence in California, to his Missourian home, scarcely richer than when he left it; yet he appeared to be a sober, industrious, and agreeable young man. He gives it, as the result of his observation at the diggings, that very few indeed ever succeed in amassing fortunes there.

In Western Missouri we have seen unmistakable traces of the tornadoes which often visit these regions bordering on the open prairies, where the winds sweep along with the gathered force of hundreds of miles of unimpeded momentum.

TWENTY-THIRD DAY.—THE PACIFIC RAILROAD—ST. LOUIS.

We continued our race for the train all night, and with success; for, soon after awakening this morning, we saw, rising above the trees before us, the thrice welcome and readily recognised wreaths of the white breath of the "iron-horse," at the Syracuse station and western terminus of the "Pacific Railroad." A few minutes more and we had completed our long and uninterrupted ride of twenty-seven hundred miles; and, as we leaped for the last time from the stage, it was not without feeling some emotion of thankfulness to that good Providence who had brought us thus safely to the termination of a journey characterized by extreme interest and variety, and by more than a little peril and physical exertion.

We had yet an hour before the train started, an interval very essential for changing the condition of our dusty persons and worn-out clothes, etc. Then, after a hearty breakfast, never did a ride seem more luxuriously comfortable than the smooth and rapid motion of the commodious railway-cars, both by their contrast with our three weeks' route over rugged mountain and rolling prairie, as well as by the restful feeling arising from the secure accomplishment of a journey so different from any in our former experiences of travel.

Thus, reclining with a delightful ease and satisfaction on the softly-cushioned seats, we skirted for nearly a hundred miles the whirling waters of the turbid wide Missouri—past Jefferson City, the capital of the State, past white double-tiered steamboats on our left, and neat towns, rich harvests, and tributary rivers on our right, till, in the early afternoon, we rolled into a spacious terminus; from which we emerged once more into the active scenes of city life, amongst the crowded thoroughfares, lofty edifices, hotels, street railways, and bustling wharves of St. Louis, the populous and thriving emporium of the Upper Mississippi.*

* Almost immediately after the commencement of the Civil War in the States this Southern Overland Express was discontinued, the route being no longer passable with safety. There is, however, another express established farther northwards, passing from the eastern frontiers of California through the Mormon Salt Lake City, and on by Nebraska to the Missouri and the eastern railroads. But this express staging is less interesting than the one above described. The scenery is less varied. The distance is eight hundred or a thousand miles less. The journey is broken, usually for some days, at Salt Lake City, and the passengers are enabled to sleep at some of the way-side stations at night, instead of the uninterrupted riding or walking of the Butterfield route above described, and its five hundred hours' continuous motion. With regard to the "Pacific Railroad," there are several lines of proposed route. The one which has been the most strongly recommended in the official reports to the Federal Government would pass along very near the route taken by the writer and his companions in the preceding sketches. Yet it is not improbable but that the colonies of the British Colonial Confederation may construct a railway to the Pacific, from the Atlantic seaboard, and entirely within their own territories, even at an earlier date than any such one on either of the routes contemplated by their "go-ahead" neighbours.

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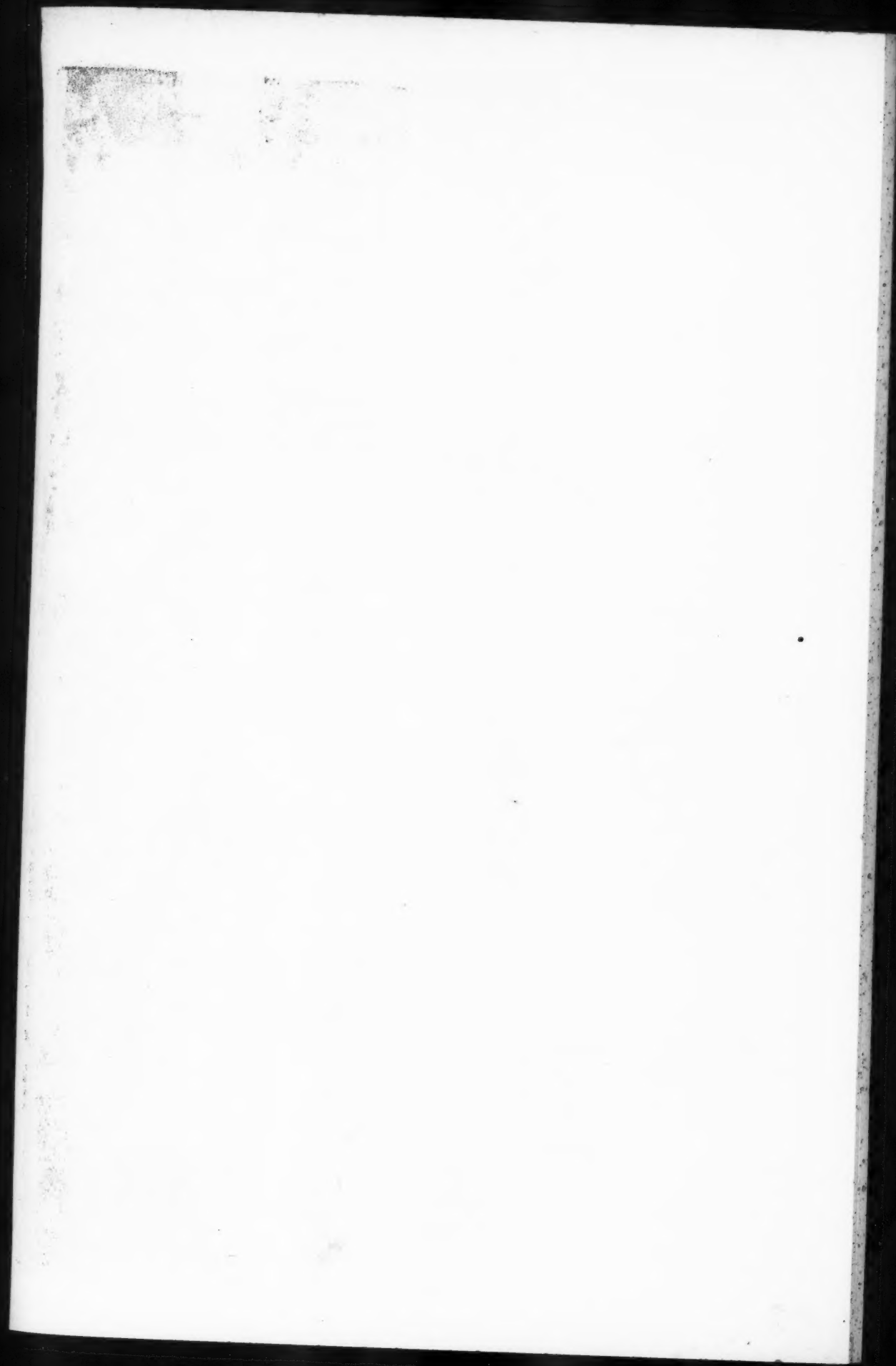
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